

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-16-00347-CR

Steven Turner, Appellant

v.

The State of Texas, Appellee

**FROM THE COUNTY COURT AT LAW NO. 7 OF TRAVIS COUNTY,
NO. C-1-CR-12-216032,
THE HONORABLE ELISABETH ASHLEA EARLE, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

Appellant's brief was due September 15, 2016. The brief has not been received and appellant, representing himself in this Court *pro se*, did not respond to this Court's notice that the brief is overdue.

The appeal is abated and remanded to the trial court. The trial court shall conduct a hearing to determine whether appellant desires to prosecute this appeal, whether appellant is indigent, and, if so, whether counsel should be appointed to represent appellant in this appeal. *See* Tex. R. App. P. 38.8(b)(2), (3). The court shall make appropriate written findings and recommendations and, if necessary, shall appoint counsel who will effectively represent appellant in this appeal. *See* Tex. R. App. P. 38.8(b)(2), (3). Following the hearing, which shall be transcribed, the trial court shall order the appropriate supplemental clerk's and reporter's

records—including all findings and orders—to be prepared and forwarded to this Court no later than February 10, 2017. *See* Tex. R. App. P. 38.8(b)(3).

It is so ordered on this the 11th day of January, 2017.

Before Justices Puryear, Pemberton, and Goodwin

Abated and Remanded

Filed: January 11, 2017